

Dallas Erickson Testimony
House Bill 514
House Judiciary Committee
February 18, 2011

EXHIBIT 5
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HB 514

Mr. Chair and Members of the Committee,

House Bill 514 adds to the existing law new categories, "gender identity or expression" and "sexual orientation" that already contains the categories of, "sex, marital status, age, physical or mental disability, race, creed, religion, color, or national origin". Because "sexual orientation", by all scientific standards, is a choice, it would be the only category that is a choice other than "religion" and "creed" both rights guaranteed by the Constitution and the reason our nation was founded. These new categories are the only ones, also, that would require a test to determine if they are legitimate and the problem is there is no test for the added categories since they can change from day to day.

Some may question the "choice" statement but the fact is that tens of thousands of people who thought they were homosexual have come back out of that lifestyle and live as heterosexuals with spouses and families.

1. This is supposed to be a bill to prevent discrimination but in fact it is a bill, by very definition, that discriminates. There are almost 30 "sexual orientations" but this bill only lists three, heterosexuality, bisexuality, and homosexuality. I will spare you the reading of the list of other sexual orientations that have been discriminated against in this bill but pass you a copy.

2. The term "gender identity or expression" goes well beyond the "sexual orientation" addition that was usually proposed for state laws in the last two decades here. Several years ago the United Nations was pressured by several groups and organizations to recognize that there were more than just two sexes. In fact the claim then was that there were FIVE sexes.

Here is a definition that I found at a website called Transgender 101:

Gender Identity is how you see yourself socially: man, woman, or a combination of both. One may have a penis but prefer to relate socially as a woman, or one may have a vagina but prefer to relate as a man. One might prefer to be fluid, relating sometimes as a man and sometimes as a woman. Or one might not identify as either one, relating androgynously.

Here are some of the classifications of Gender Identity:

Drag Queen: Female-emulating male, usually campy, often (not always) gay.

Butch: Masculine-appearing person.

Femme: Feminine-appearing person.

Drag King: Male-emulating woman.

Intersex: Person born with mixed sexual physiology. Often "assigned" at birth, such practice is coming under well-founded attack as a hurtful violation of a person's well-being.

Transvestite: Person who enjoys wearing clothes identified with the opposite gender, often but not always straight.

Crossdresser: Polite term for transvestite.

Transgenderist: Person who lives as gender opposite to anatomical sex, i.e. person with penis living as woman. Sexual orientation varies.

Androgyne: Person appearing and identifying as neither man nor woman, presenting a gender either

mixed or neutral.

Transsexual: Person whose sexual identity is opposite to their assignment at birth. Not all TS folk undergo "sex reassignment surgery" (SRS), for various reasons, including personal preference. Sexual orientation varies.

FTM (female to male): born female but see themselves as partly to fully masculine.

MTF (male to female): born male but see themselves as partly to fully feminine

There are others. So if this bill passes, if a business or a government or a youth organization or a school or a church in Montana wants to keep people with penis's out of restrooms reserved for people with vaginas that would be discrimination. So they would be required, as has been required in California, to build a restroom for people who don't know if they are male or female. I guess that restroom would have a question mark on it.

Can you imagine the fun that our school children would have with such a law? Can you imagine the havoc that it would wreak in these forums? Some young person with a penis could all of a sudden claim to be a **Male To Female** and go see what the other side lives like. If the school didn't like it the school would have to construct another restroom.

The ramifications of this bill in our society would be immense and expensive and destructive to the values of our state.

3. Under **Section 14** it is plain to see that any individual or group that opposes homosexuality or was not gender identity sensitive could be precluded from using City, County or State property for anything. This would include the Boy Scouts of America and Church groups and others. It would also prevent the governments from entering into any agreement with such organizations.

4. To those who follow the agenda of the homosexuals it is clear that this is the beginning of an attempt to get around the Constitutional Amendment passed by the voters in Montana. All that would be needed for a man to marry a woman would be to get Doctors certificates that the person with the penis was really a **MTF** and so that "female" could marry a female. This is not someone's imagination as there is precedence for this in the State of New York.

5. Kamloops BC has a law like this bill. A man who circulated brochures stating the Biblical rejection of homosexuality as an "abomination" was charged with discrimination on government property and had to pay a \$1000 fine for repeating a Biblical phrase and Scripture. This bill would open the door to that nonsense in Montana.

6. This bill would require the Boy Scouts or any group that wants to teach the Biblical standards of sexuality and morality to hire homosexuals and those who are confused about their sexuality. I would imagine it would allow the **MTF** or the **FTM** to sleep in the tents with the boys or girls or the organization would be faced with discrimination.

I ask this committee to table this bill.

Thank you.

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